

PATENT APPLICATION  
Docket No: 7507.10.7

DECLARATION, POWER OF ATTORNEY, AND PETITION

We hereby declare that our names, our citizenship, and our residential and mailing addresses, respectively, are as set forth below:

1. Inventor: Farrell G. Badger  
Citizenship: United States of America  
Address: 1410 North 1250 East  
Mapleton, Utah 84664 USA
2. Inventor: Brendan M. Welch  
Citizenship: United States of America  
Address: 4 Terrie Road  
Farmington, Connecticut 06032 USA
3. Inventor: Ronald D. Thomas  
Citizenship: United States of America  
Address: 15 West Oak Drive  
Woodland Hills, Utah 84653 USA
4. Inventor: Lyman G. Bahr  
Citizenship: United States of America  
Address: 238 South 600 West  
Payson, Utah 84651 USA
5. Inventor: Dean F. Richards  
Citizenship: United States of America  
Address: 140 North 100 West  
Pleasant Grove, Utah 84062 USA

We further declare that we are the original, first, and joint coinventors of the subject matter of the invention or discovery entitled EXPLOSIVE WITH BIOREMEDIATING CAPACITY AND RELATED METHODS, for which a patent is sought and which is described and claimed in the specification filed in the United States Patent and Trademark Office on October 18, 1996; that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose

information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We claim the benefit under Section 120 of Title 35 of the United States Code of the following earlier filed United States patent applications:

(1) United States Patent Application Serial No. 687,092, filed on June 4, 1996;

(2) United States Patent Application Serial No. 658,104, filed June 4, 1996;

(3) United States Patent Application Serial No. 560,102, filed November 17, 1995; and

(4) United States Patent Application Serial No. 560,074, filed November 17, 1996.

Insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed applications in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed applications and the filing date of this application.

We declare further that all statements made herein of our own individual knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents:

H. ROSS WORKMAN, Registration No. 25,230; RICK D. NYDEGGER, Registration No. 28,651; DAVID O. SEELEY, Registration No. 30,148; KENT S. BURNINGHAM, Registration No. 30,453; TODD E. ZENGER, Registration No. 33,610; JONATHAN W. RICHARDS, Registration No. 29,843; MICHAEL F. KRIEGER, Registration No. 35,232; BRADLEY K. DeSANDRO, Registration No. 34,521; JOHN M. GUYNN, Registration No. 36,153; GREGORY M. TAYLOR, Registration No. 34,263; DANA L. TANGREN, Registration No. 37,246; ERIC L. MASCHOFF, Registration No. 36,596; KEVIN B. LAURENCE, Registration No. 38,219; BRIAN C. KUNZLER, Registration No. 38,527; SUSAN K. MORRIS, Registration No. 39,780; JEFFREY L. RANCK, Registration No. 38,590; JONATHAN D. WOOD, Registration No. 39,076; ROBYN L. PHILLIPS, Registration No. 39,330; DAVID B. DELLENBACH, Registration No. 39,166; TIMOTHY M. FARRELL, Registration No. 37,321; LENA I. VINITSKAYA, Registration No. 39,448, and JOHN N. GREAVES, Registration No. P-40,362 with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and

Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

Kent S. Birmingham, Esq.  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111 USA  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, we pray that Letters Patent be granted to us and our coinventor for the invention or discovery described and claimed in the specification and claims identified above in this Declaration, Power of Attorney, and Petition.

(1) Signed at Spanish Fork, Utah,  
this 5 day of November, 1996.

Inventor: Farrell G. Badger  
Farrell G. Badger  
1410 North 1250 East  
Mapleton, Utah 84664 USA

(2) Signed at Simsbury, Connecticut,  
this 15 day of November, 1996.

Inventor: Brendan M. Welch  
Brendan M. Welch  
4 Terrie Road  
Farmington, Connecticut 06032 USA

(3) Signed at Spanish Fork, Utah,  
this 29 day of October, 1996.

Inventor: Ronald D. Thomas

Ronald D. Thomas  
15 West Oak Drive  
Woodland Hills, Utah 84653 USA

(4) Signed at Spanish Fork, Utah,  
this 11 day of November, 1996.

Inventor: Lyman G. Bahr

Lyman G. Bahr  
238 South 600 West  
Payson, Utah 84651 USA

(5) Signed at Pleasant Grove, Utah,  
this 12 day of Nov, 1996.

Inventor: Dean F. Richards

Dean F. Richards  
140 North 100 West  
Pleasant Grove, Utah 84062 USA

KSB:jlh  
G:\DATA\WPDOCS\JC\7507107A.DEC  
Docket No. 7507.10.7

PATENT APPLICATION  
DOCKET NO.: 7507.10.7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Farrell G. Badger et al.  
For: EXPLOSIVE WITH BIOREMEDIATING  
CAPACITY AND RELATED METHODS  
Serial No.: 08/743,460  
Filed: October 18, 1996

## SUBSTITUTE POWER OF ATTORNEY

The Honorable Commissioner of Patents  
and Trademarks  
Washington, D. C. 20231

Sir:

I, Michael T. Long, hereby declare as follows:

1. That I am the Administrator of THE ENSIGN-BICKFORD COMPANY, a corporation of the State of Connecticut, having a principal place of business at 660 Hopmeadow Street, Simsbury, Connecticut 06070 USA.

2. That I am duly authorized on behalf of THE ENSIGN-BICKFORD COMPANY to make the representations herein recited and to sign this statement.

3. That THE ENSIGN-BICKFORD COMPANY is the owner of the entire right, title, and interest in the above-captioned United States Patent Application Serial No. 08/743,460, filed on October 18, 1996, (hereinafter "the Present Application") by action of an Assignment attached

herewith as Exhibit A, which is contemporaneously herewith being filed for recordation in the United States Patent and Trademark Office.

4. That the document at Exhibit A has been reviewed by me, and that to the best of my knowledge the document at Exhibit A accurately reflects the rights of THE ENSIGN-BICKFORD COMPANY in the Present Application.

5. That THE ENSIGN-BICKFORD COMPANY hereby revokes all powers of attorney previously given relative to the Present Application.

6. That THE ENSIGN-BICKFORD COMPANY hereby appoints as the attorneys or agents thereof with full power of substitution and revocation to transact all business in the United States Patent and Trademark Office connected with the Present Application the following attorneys or agents of the law firm of TRASK, BRITT & ROSSA, 525 South 300 East, Salt Lake City, Utah 84111 USA:

David V. Trask	Reg. No. 22,012
William S. Britt	Reg. No. 20,969
Thomas J. Rossa	Reg. No. 26,799
Laurence B. Bond	Reg. No. 30,549
Joseph A. Walkowski	Reg. No. 28,765
James R. Duzan	Reg. No. 28,393
Allen C. Turner	Reg. No. 33,041
Kent S. Burningham	Reg. No. 30,453
Julie K. Morriss	Reg. No. 33,263
Robert G. Winkle	Reg. No. 37,474
Patrick McBride	Reg. No. 39,295
Edgar R. Cataxinos	Reg. No. 39,931

7. That all correspondence and telephonic communications relative to the Present Application should hereafter should be directed to:

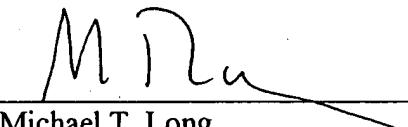
Kent S. Burningham, Esq.  
TRASK, BRITT & ROSSA  
525 South 300 East  
Salt Lake City, Utah 84111 USA  
Telephone: (801) 532-1922  
Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

8. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; and further, these statements are made with the knowledge that willful, false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed at Simsbury, Connecticut, USA, this 12th day of May 1997.

THE ENSIGN-BICKFORD COMPANY

By:

  
Michael T. Long,  
Administrator

N:\KSB\2411.3194us.sub-poa

WHEN RECORDED RETURN TO:

PATENT APPLICATION  
Docket No: 7507.10.7

Workman, Nydegger & Seeley  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111 USA

ASSIGNMENT

We have invented a method and apparatus entitled EXPLOSIVE WITH BIOREMEDIATING CAPACITY AND RELATED METHODS (hereinafter the "Invention"), and our names, our citizenship, and our residential and mailing addresses are as set forth, respectively, below.

1. Inventor: Farrell G. Badger  
Citizenship: United States of America  
Address: 1410 North 1250 East  
Mapleton, Utah 84664 USA
2. Inventor: Brendan M. Welch  
Citizenship: United States of America  
Address: 4 Terrie Road  
Farmington, Connecticut 06032 USA
3. Inventor: Ronald D. Thomas  
Citizenship: United States of America  
Address: 15 West Oak Drive  
Woodland Hills, Utah 84653 USA
4. Inventor: Lyman G. Bahr  
Citizenship: United States of America  
Address: 238 South 600 West  
Payson, Utah 84651 USA
5. Inventor: Dean F. Richards  
Citizenship: United States of America  
Address: 140 North 100 West  
Pleasant Grove, Utah 84062 USA

Preferred embodiments of the Invention are disclosed in a United States patent application now identified as File No. 7507.10.7 of the law firm of Workman, Nydegger & Seeley, 1000

Eagle Gate Tower, 60 East South Temple, Salt Lake City, Utah 84111 USA, and filed in the United States Patent and Trademark Office as Serial No. 08/743,460 on October 18, 1996. (The law firm of Workman, Nydegger & Seeley is hereby authorized to insert the above filing date and serial number for the United States patent application disclosing the Invention whenever that filing date and serial number become known thereto.)

The ASSIGNEE, THE ENSIGN-BICKFORD COMPANY, a corporation of the State of Connecticut, having a principal place of business at 660 Hopmeadow Street, Simsbury, Connecticut 06070, USA, desires to secure the entire right, title and interest in the Invention.

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to us by the ASSIGNEE, the receipt and sufficiency of which we hereby acknowledge, WE HEREBY ASSIGN TO THE ASSIGNEE:

The entire right, title and interest in the Invention in the above-identified United States patent application and in all divisions, continuations and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and foreign countries.

The right to file foreign patent applications on the Invention in the name of the ASSIGNEE, wherever such right may be legally exercised, including the

right to claim the benefits of the International Convention for such applications.

We hereby authorize and request the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on the Invention to the ASSIGNEE as the owner of the entire interest, for the sole use and benefit of the ASSIGNEE, and successors, assigns, and legal representatives thereof.

We hereby agree, without further consideration and without expense to us, to sign all lawful papers and to perform all other lawful acts which the ASSIGNEE may request of us to make this Assignment fully effective, including, by way of example but not of limitation, the following:

Prompt execution of all original, divisional, substitute, reissue, and other United States and foreign patent applications on said invention, and all lawful documents requested by the ASSIGNEE to further the prosecution of any of such patent applications.

Cooperation to the best of our ability in the execution of all lawful documents, the production of evidence, nullification, reissue, extension, or infringement proceedings involving the Invention.

This assignment and agreement shall be binding upon our heirs and legal representatives.

(1) DATED this 11 day of November, 1996.

Farrell G. Badger  
Farrell G. Badger

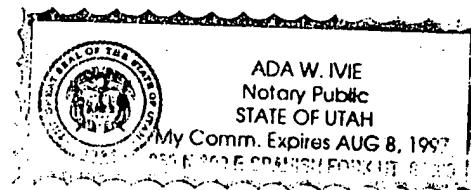
STATE OF Utah ) : ss.  
COUNTY OF Utah )

On Nov. 11, 1996, before me personally appeared Farrell G. Badger, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me to have read the same, thereby knowing the contents thereof, and to have executed the same as a free act and deed and for the purposes set forth therein.

Ada W. Ivie  
NOTARY PUBLIC  
Residing at \_\_\_\_\_

My Commission Expires:

Ada W. Ivie



(2) DATED this 15 day of November, 1996.

Brendan M. Welch

Brendan M. Welch

STATE OF Connecticut)

: ss.

COUNTY OF Hartford)

On November 15, 1996, before me personally appeared Brendan M. Welch, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me to have read the same, thereby knowing the contents thereof, and to have executed the same as a free act and deed and for the purposes set forth therein.

Carol Peplow

NOTARY PUBLIC

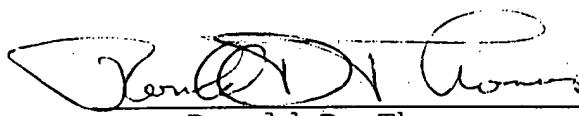
Residing at Windsor, CT

My Commission Expires:

My Commission Expires July 31, 1997

My Commission Expires July 31, 1997

(3) DATED this 11 day of November, 1996.



Ronald D. Thomas

STATE OF Utah )  
COUNTY OF Utah ) : ss.

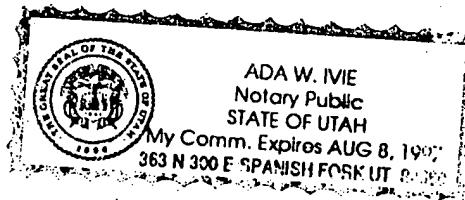
On Nov 11, 1996, before me personally appeared Ronald D. Thomas, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me to have read the same, thereby knowing the contents thereof, and to have executed the same as a free act and deed and for the purposes set forth therein.



Ada W. Ivie  
NOTARY PUBLIC  
Residing at \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_



(4) DATED this 11 day of November, 1996.

Lyman G. Bahr  
Lyman G. Bahr

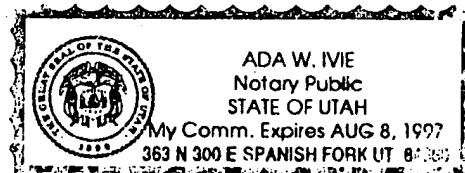
STATE OF Utah )  
COUNTY OF Utah ) : ss.

On Nov 11, 1996, before me personally appeared Lyman G. Bahr, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me to have read the same, thereby knowing the contents thereof, and to have executed the same as a free act and deed and for the purposes set forth therein.

Ada W. Ivie  
NOTARY PUBLIC  
Residing at \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_



(5) DATED this 12 day of Nov., 1996.

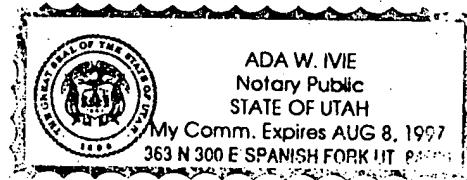
Dean F. Richards  
Dean F. Richards

STATE OF Utah )  
COUNTY OF Utah ) : ss.

On Nov 12, 1996, before me personally appeared Dean F. Richards, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me to have read the same, thereby knowing the contents thereof, and to have executed the same as a free act and deed and for the purposes set forth therein.

Ada W. Ivie  
NOTARY PUBLIC  
Residing at \_\_\_\_\_

My Commission Expires:



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Docket No. 7507.10.7

EXPRESS MAILING LABEL NO. EL638948952US

PATENT APPLICATION  
Docket No.: 2411.3194.2US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Farrell G. Badger et al.

For: EXPLOSIVE WITH BIOREMEDIATION CAPACITY  
AND RELATED METHODS (as filed)

Divisional of:

Serial No.: 08/743,460

Of: Farrell G. Badger et al.

Filing Date: October 18, 1996

Examiner: Peter A. Nelson

Art Unit: 3641

ASSOCIATE POWER OF ATTORNEY

Box: PATENT APPLICATION  
Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D. C. 20231

Sir:

Please recognize the following individuals as associate attorneys or agents for me in relation  
to the above-entitled application:

Stephen R. Christian	Registration No. 32,687
Brick G. Power	Registration No. 38,581
Kenneth B. Ludwig	Registration No. 42,814
Paul C. Oestreich	Registration No. 44,983
Devin R. Jensen	Registration No. 44,805

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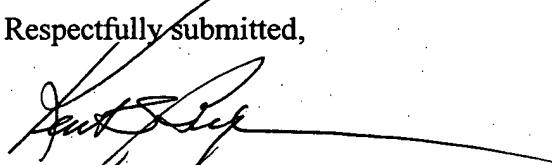
David L. Stott	Registration No. 43,937
Eleanor V. Goodall	Registration No. 35,162
Samuel E. Webb	Registration No. 44,394
Kerry D. Tweet	Registration No. 45,959
Bradley B. Jensen	Registration No. P-46,801

Please address all future written and telephonic communications to:

Kent S. Birmingham, Esq.  
TRASK BRITT  
230 South 500 East, Suite 300  
Salt Lake City, Utah 84102 USA  
Telephone: (801) 532-1922  
Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

DATED this 19<sup>th</sup> day of September, 2000.

Respectfully submitted,



KENT S. BURNINGHAM  
Attorney for Applicant  
Registration No. 30,453

TRASK BRITT  
230 South 500 East, Suite 300  
Salt Lake City, Utah 84102 USA  
Telephone: (801) 532-1922  
Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

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EXPRESS MAIL LABEL NO. EV325783240US

PATENT APPLICATION  
Docket No.: 2411.3194.3US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )

Farrell G. Badger et al. )

For: METHOD FOR BIOREMEDIATING )  
UNDETONATED EXPLOSIVE DEVICE )

Divisional of: )

Serial No.: 09/666,073 )

Of: Farrell G. Badger, et al. )

Filing Date: September 19, 2000 )

Examiner: Peter A. Nelson )

Art Unit: 3641 )

ASSOCIATE POWER OF ATTORNEY

Mail Stop: PATENT APPLICATION  
Commissioner for Patents  
United States Patent and Trademark Office  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Please recognize the following individuals as associate attorneys with me in relation to the  
above-entitled application:

H. Dickson Burton	Registration No. 48,396
Kevin K. Johanson	Registration No. 38,506
Shawn G. Hansen	Registration No. 42,627
Bretton L. Crockett	Registration No. 44,632
Bradley B. Jensen	Registration No. 46,801

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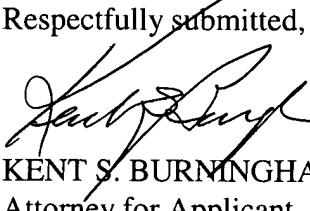
Tawni L. Wilhelm	Registration No. 47,456
Katherine A. Hamer	Registration No. 47,628
Andrew F. Nilles	Registration No. 47,825
Krista Weber Powell	Registration No. 47,867
Greg T. Warder	Registration No. 50,208
Marcus S. Simon	Registration No. 50,258
Trent N. Butcher	Registration No. 51,518
G. Scott Dorland	Registration No. 51,622

Please address all future written and telephonic communications to:

Kent S. Birmingham, Esq.  
TRASKBRITT, PC  
230 South 500 East, Suite 300  
Salt Lake City, Utah 84102 USA  
Telephone: (801) 532-1922  
Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

DATED this 3rd day of November, 2003.

Respectfully submitted,



KENT S. BURNINGHAM  
Attorney for Applicant  
Registration No. 30,453

TRASKBRITT, PC  
230 South 500 East, Suite 300  
Salt Lake City, Utah 84102 USA  
Telephone: (801) 532-1922  
Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

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Docket: 2411.3194.3US